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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): CABILLY, Shmuel et al. EXAMINER: Not yet known

SERIAL NO.: 10/056,050 GROUP ART UNIT: 1753

FILED: January 28, 2002 Attorney Docket No.: P-732-US4

FOR.: APPARATUS AND METHOD FOR ELECTROPHORESIS

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, this Information Disclosure Statement includes:

1. ☒ Documents including patents, publications, and other information listed on the attached Form PTO-1449 for consideration by the Examiner;
2. ☐ Form PTO-1449 which lists documents including patents, publications and other information for consideration by the Examiner but in accordance with 37 C.F.R. 1.98(d) does not include those documents which have been previously cited or submitted to the Patent Office in the following prior application U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_ which is properly identified and relied on.
3. ☐ Other information for the Examiner's consideration which was cited in a communication from a foreign patent office in a counterpart foreign application.

The information herein cited is only in fulfillment of Applicant(s) duty of candor in disclosing all information brought to Applicant(s) attention. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the

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SERIAL NO.: 10/056,050  
FILED: January 28, 2002  
Page 2

listed documents do not constitute "prior art" under United States law, Applicant(s) reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant(s) further reserve(s) the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each and every document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application and is evidence that the Examiner has considered the document.

This Information Disclosure Statement is being filed:

I) ☒ Within three (3) months of filing the subject Application or entry of the subject Application into the national stage or before mailing of the first Office Action on the merits whichever event occurs last pursuant to of 37 C.F.R §1.97 (b); or

II) ☐ After the period specified in (I) but before the mailing date of either a final Official Action under 37 C.F.R §1.113 or a notice of allowance under 37 C.F.R §1.311 whichever occurs first;

1. ☐ The undersigned hereby states that each item of information listed on the Form PTO-1449 was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement; or

2. ☐ the undersigned hereby authorizes the Patent Office to charge the fee in the amount of \$180.00 under 37 C.F.R §1.17 (p) to Deposit Account 05-0649.

III) ☐ After the period in (I) and (II) but before the payment of the issue fee,

1. The Undersigned hereby states:

a) ☐ that each item of information cited on the form PTO-1449 was cited in a communication from a foreign Patent Office in a counterpart

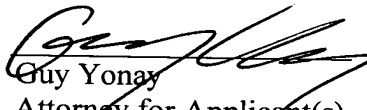
foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement; or

b) ☐ that no items of information contained in Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and

2. ☐ The Undersigned hereby authorizes the Patent Office to charge the Petition fee in the Amount of \$180.00 under 37 C.F.R §1.17 (p) to Deposit Account 05-0649.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 05-0649.

Respectfully submitted,

  
Guy Yonay  
Attorney for Applicant(s)  
Registration No. 52,388

Dated: April 7, 2003

**Eitan, Pearl, Latzer & Cohen Zedek, LLP.**  
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet	1	of	3
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<b>Application Number</b>	<b>10/056,050</b>
<b>Filing Date</b>	<b>January 28, 2002</b>
<b>First Named Inventor</b>	<b>CABILLY, Shmuel</b>
<b>Group Art Unit</b>	<b>1753</b>
<b>Examiner Name</b>	<b>Not yet known</b>
<b>Attorney Docket Number</b>	<b>P-732-US4</b>

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	3,062,731		Durrum	11-18-1959	
	AB	3,715,295		Tocci	02-06-1973	
	AC	3,764,513		Saravis	10-09-1973	
	AD	4,018,662		Ruhenstroth-Bauer et al.	04-19-1977	
	AE	4,130,471		Grunbaum	12-19-1978	
	AF	4,305,799		Schwarz et al.	12-15-1981	
	AG	4,323,439		O'Farrell	04-06-1982	
	AH	4,874,491		Stalberg	10-17-1989	
	AI	4,892,639		Sarrine et al.	01-09-1990	
	AJ	5,006,473		Bouma et al.	04-09-1991	
	AK	5,045,164		Tansamrit et al.	09-03-1991	
	AL	5,082,548		Faupel et al.	01-21-1992	
	AM	5,106,477		Coleman	04-21-1992	
	AN	5,209,831		MacConnell	05-11-1993	
	AO	5,407,552		Lebacq	04-18-1995	
	AP	5,411,657		Leka	05-02-1995	
	AQ	5,464,516		Takeda et al.	11-07-1995	
	AR	5,464,517		Hjerten et al.	11-07-1995	
	AS	5,582,702		Cabilly et al.	12-10-1996	
	AT	5,656,145		Nguyen et al.	08-12-1997	

**FOREIGN PATENT DOCUMENTS**

[illegible]

Examiner  
Signature

Date  
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\***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AU	5,785,835		Saito et al.	07-28-1998	
	AV	5,843,295		Steiner et al.	12-01-1998	
	AW	5,865,974		Cabilly et al.	02-02-1999	
	AX	5,972,188		Rice et al.	10-26-1999	
	AY	6,013,166		Heller	01-00-2000	
	AZ	6,056,860		Amigo et al.	05-02-2000	
	BA	6,068,752		Dubrow et al.	05-30-2000	
	BB	6,071,396		Day	06-06-2000	
	BC	6,096,182		Updyke et al.	08-01-2000	
	BD	6,113,766		Steiner et al.	09-05-2000	
	BE	6,232,076		Schulz	05-15-2001	
	BF	6,379,516		Cabilly et al.	04-30-2002	
	BG	09/651,087		Cabilly et al.	08-30-2000 (filing date)	
	BH	2002-0134680		Cabilly et al.	09-26-2002	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	BI	EP	155 977		E.I. DU PONT DE NEMOURS AND COMPANY	10-02-1985		<input type="checkbox"/>
	BJ	WO	87/04948		PHARMACIA AB	08-27-1987		<input type="checkbox"/>
	BK	WO	00/16084		UNIVERSITY OF SOUTHAMPTON	03-23-2000		<input type="checkbox"/>
	BL	WO	02/18901		ETHROG BIOTECHNOLOGY LTD.	03-07-2002		<input type="checkbox"/>
	BM	WO	02/071024		ETHROG BIOTECHNOLOGY LTD.	09-12-2002		<input type="checkbox"/>
	BN	WO	96/34276		ETHROG BIOTECHNOLOGIES LTD.	10-31-1996		<input type="checkbox"/>
	BO	WO	97/41070		ETHROG BIOTECHNOLOGY LTD.	11-06-1997		<input type="checkbox"/>
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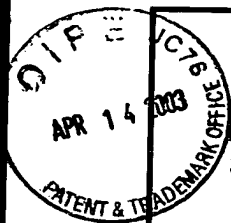
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Substitute for form 1449B/PTO

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Sheet **3** of **3**

## **Complete if Known**

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Group Art Unit	1753
Examiner Name	Not yet known
Attorney Docket Number	P-732-US4

## **OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	BP	Computer translation of JP 2000-060554	<input type="checkbox"/>
	BQ	Abstract of JP 362066153	<input type="checkbox"/>
	BR	A.T. ANDREWS, "Electrophoresis: Theory, Techniques and Bio-Chemical and Clinical Applications", Chapter 1, Clarendon press, Oxford 1993	<input type="checkbox"/>
	BS	A.T. ANDREWS, "Electrophoresis: Theory, Techniques and Bio-Chemical and Clinical Applications", p. 79, 2nd Edition, 1986	<input type="checkbox"/>
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